

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GEORGE THEODORE SUTHERLAND,

Defendant.

CR 13-86-GF-DLC

ORDER

FILED

NOV 27 2013

Clerk, U.S. District Court
District Of Montana
Missoula

United States Magistrate Judge Keith Strong entered Findings and Recommendation in this matter on November 7, 2013. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

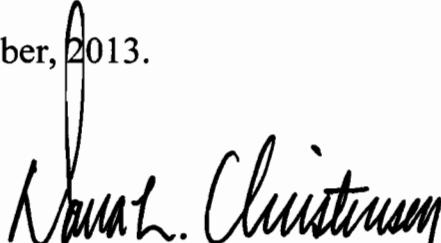
McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Strong recommended this Court accept George Theodore Sutherland's guilty plea after Sutherland appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of Assault Resulting in Serious Bodily Injury, as set forth in the Superseding Information.

I find no clear error in Judge Strong's Findings and Recommendation (Doc. 25), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that George Theodore Sutherland's motion to change plea (Doc. 15) is GRANTED.

DATED this 27th day of November, 2013.



Dana L. Christensen, Chief Judge
United States District Court